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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,044	04/08/2004	Jordan Willard Hawkwood Glazier	32185-201793	7322
26694	7590	08/09/2006	EXAMINER	
VENABLE LLP P.O. BOX 34385 WASHINGTON, DC 20045-9998			TRAN, TRANG U	
			ART UNIT	PAPER NUMBER
			2622	
DATE MAILED: 08/09/2006				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/820,044

Applicant(s)

GLAZIER, JORDAN WILLARD
HAWKWOOD

Examiner

Trang U. Tran

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 November 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 4-7, 9-10 and 12-16 are rejected under 35 U.S.C. 102(b) as being anticipate by McGonigal et al. (US Patent No. 5,945,918).

In considering claim 1, McGonigal et al discloses all the claimed subject matter, note 1) the claimed a television system comprising: (a) a television is met by the television (TV) set 1 or 21 (Figs. 1-2, col. 3, line 33 to col. 4, line 25), 2) the claimed (b) an activator installed in the television is met by the switch 9 or 25 (Figs. 1-2, col. 3, line 33 to col. 4, line 25), 3) the claimed (c) a remote control for the television is met by the remote control unit 3 (Figs. 1-2, col. 3, line 33 to col. 4, line 25), and 4) the claimed (d) a location signal generator installed in the remote control, which signal generator is activated by receipt of a wireless signal from the activator in the television is met by the alarm device 87 which can be a buzzer or other audible alarm, a light, or a combination of both (Figs. 2-4, col. 4, line 25 to col. 5, line 40).

In considering claim 2, the claimed wherein the location signal generator is at least one of: (a) a flashing light; and (b) a sound generator is met by is met by the alarm device 87 which can be a buzzer or other audible alarm, a light, or a combination of both (Figs. 2-4, col. 4, line 25 to col. 5, line 40).

In considering claim 4, the claimed further comprising: (a) a signal generator selector switch installed in the remote control, which switch may be set in one of the following three signal generator selection modes: (i) sound only; (ii) flashing light only; and (iii) both sound and flashing light is met by is met by the alarm device 87 located in the remote control device 3 which can be a buzzer or other audible alarm, a light, or a combination of both (Figs. 2-4, col. 4, line 25 to col. 5, line 40).

Claim 5 is rejected for the same reason as discussed in claim 1.

Claim 6 is rejected for the same reason as discussed in claim 1.

Claim 7 is rejected for the same reason as discussed in claim 2.

Claim 9 is rejected for the same reason as discussed in claim 4.

Claim 10 is rejected for the same reason as discussed in claim 1.

Claim 12 is rejected for the same reason as discussed in claim 1.

In considering claim 13, Herz discloses all the claimed subject matter, note 1) the claimed a remote control system comprising: (a) a remote control for an electrical device is met by the remote control block 3 (Figs. 2 and 4, col. 4, line 25 to col. 5, line 40), and 2) the claimed (b) a location signal generator installed in the remote control, which signal generator is activated by receipt of a wireless signal is met by is met by the alarm device 87 which can be a buzzer or other audible alarm, a light, or a combination of both (Figs. 2-4, col. 4, line 25 to col. 5, line 40).

Claim 14 is rejected for the same reason as discussed in claim 2.

Claim 15 is rejected for the same reason as discussed in claim 4.

In considering claim 16, the claimed wherein the remote control is adapted to control at least one of the group of devices including: a television, a radio, a CD player, a VCR, a DVD player, a PC, a robot, a garage door, and an appliance is met by the television (TV) set 1 or 21 (Figs. 1-2, col. 3, line 33 to col. 4, line 25).

3. Claims 1-2, 5-7, 10, 12-14 and 16 are rejected under 35 U.S.C. 102(b) as being anticipate by Herz (US Patent No. 6,407,779 B1).

In considering claim 1, Herz discloses all the claimed subject matter, note 1) the claimed a television system comprising: (a) a television is met by the TV 220 (Figs. 1-2 and 4, col. 3, lines 8-27), 2) the claimed (b) an activator installed in the television is met by the remote finder switch 408 which for the user to activate the remote finding feature (Figs. 2 and 4, col. 4, lines 32-48 and col. 15, lines 36-55), 3) the claimed (c) a remote control for the television is met by the remote control block 210 (Fig. 2, col. 3, lines 28-55), and 4) the claimed (d) a location signal generator installed in the remote control, which signal generator is activated by receipt of a wireless signal from the activator in the television is met by the beeper 219 which is activated and produces a sound to indicate the location of the remote control after receiving the remote control locator signal from the television, or a flashing LED, instead of a beacon sound, can be used for indicating the location of the remote control (col. 15, lines 36-55).

In considering claim 2, the claimed wherein the location signal generator is at least one of: (a) a flashing light; and (b) a sound generator is met by the beeper 219 which is activated and produces a sound to indicate the location of the remote control after receiving the remote control locator signal from the television, or a flashing LED,

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instead of a beacon sound, can be used for indicating the location of the remote control (col. 15, lines 36-55).

Claim 5 is rejected for the same reason as discussed in claim 1.

Claim 6 is rejected for the same reason as discussed in claim 1.

Claim 7 is rejected for the same reason as discussed in claim 2.

Claim 10 is rejected for the same reason as discussed in claim 1.

Claim 12 is rejected for the same reason as discussed in claim 1.

In considering claim 13, Herz discloses all the claimed subject matter, note 1) the claimed a remote control system comprising: (a) a remote control for an electrical device is met by the remote control block 210 (Fig. 2, col. 3, lines 28-55), and 2) the claimed (b) a location signal generator installed in the remote control, which signal generator is activated by receipt of a wireless signal is met by the beeper 219 which is activated and produces a sound to indicate the location of the remote control after receiving the remote control locator signal from the television, or a flashing LED, instead of a beacon sound, can be used for indicating the location of the remote control (col. 15, lines 36-55).

Claim 14 is rejected for the same reason as discussed in claim 2.

In considering claim 16, the claimed wherein the remote control is adapted to control at least one of the group of devices including: a television, a radio, a CD player, a VCR, a DVD player, a PC, a robot, a garage door, and an appliance is met by the TV 220 (Figs. 1-2 and 4, col. 3, lines 8-27).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3, 8 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over McGonigal et al. (US Patent No. 5,945,918).

In considering claim 3, McGonigal et al discloses all the claimed subject matter, note 1) the claimed further comprising: (a) a signal generator selector switch is met by the remote finder switch 408 which for the user to activate the remote finding feature (Figs. 2 and 4, col. 4, lines 32-48 and col. 15, lines 36-55), which switch may be set in one of the following three signal generator selection modes: (i) sound only; (ii) flashing light only; and (iii) both sound and flashing light is met by the beeper 219 which is activated and produces a sound to indicate the location of the remote control after receiving the remote control locator signal from the television, or a flashing LED, instead of a beacon sound, can be used for indicating the location of the remote control (col. 15, lines 36-55). However, McGonigal et al explicitly do not disclose the claimed a signal generator selector switch installed in the television. The capability of installing a signal generator selector switch in the television is old and well known in the art. Therefore, the Official Notice is taken. It would have been obvious to one ordinary skill in the art at the time of the invention to incorporate the old and well known of installing a signal

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generator selector switch in the television into McGonigal et al's system in order to simplify the process of finding the location on the display screen.

Claim 8 is rejected for the same reason as discussed in claim 3.

Claim 11 is rejected for the same reason as discussed in claim 3.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Graham (US Patent No. 6,879,254 B1) discloses rechargeable universal remote control assembly.

Fugere-Ramirez (US Patent No. 6,573,832 B1) discloses remote control finder.

Fingal et al. (US Patent No. 6,445,290 B1) disclose remote control monitoring device.

Benvenuti (US Patent No. 6,166,652) discloses system and method for locating misplaced items.

Smith (US Patent No. 5,673,023) discloses locating system with both visual and voice simulated indication capabilities.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trang U. Tran whose telephone number is (571) 272-7358. The examiner can normally be reached on 8:00 AM - 5:30 PM, Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TT
August 1, 2006



Trang U. Tran
Examiner
Art Unit 2622